



## *The Office of the Governor*

### ***DIRECTING THE IDAHO DEPARTMENT OF ENVIRONMENTAL QUALITY TO INITIATE RULEMAKING OPTING IDAHO OUT OF THE CLEAN AIR ACT MERCURY CAP AND TRADE RULE***

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*WHEREAS, the United States Environmental Protection Agency (EPA) has developed a national rule regulating mercury emissions from energy producing coal-fired utilities; and*

*WHEREAS, the national rule allows states to choose whether they want to opt into an interstate cap and trade program; and*

*WHEREAS, if the State does not formally opt-out of the trading program, the EPA will initiate the process to opt Idaho into the trading program; and*

*WHEREAS, the decision to opt-in or opt-out of the Clean Air Act Mercury Cap and Trade Rule has been of great interest throughout the State;*

*NOW, THEREFORE, I, JAMES E. RISCH, Governor of the State of Idaho, by the authority vested in me under the Constitution and laws of the State of Idaho do hereby direct the Idaho Department of Environmental Quality to initiate rulemaking, opting the State of Idaho out of the Clean Air Act Mercury Cap and Trade Rule.*



*IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho at the Capitol in Boise on this 9<sup>th</sup> day of August, in the year of our Lord two thousand and six, and of the independence of the United States of America the two hundred thirty-first and of the Statehood of Idaho the one hundred seventeenth.*

A blue ink signature of James E. Risch, written over a horizontal line. The signature is stylized and includes the word "Copy" repeated three times in a light blue font across the middle of the signature.

**JAMES E. RISCH**  
**GOVERNOR**

A blue ink signature of Ben Ysursa, written over a horizontal line. The signature is stylized and includes the word "Copy" repeated three times in a light blue font across the middle of the signature.

**BEN YSURSA**  
**SECRETARY OF STATE**